

05

CPSC-IAG-05-0004; MOD 2

**DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
REIMBURSABLE AGREEMENT**

Authority:

1. AGREEMENT NUMBER  
05-202-R

2. DATE  
07-Jul-05

4. RESPONSIBLE ATF ORGANIZATION UNIT

Office of Science and Technology

5.  
☒ IPAC  
☐ SF 1080  
☐ Other Billing Arrangements

☒ Monthly ☐ Quarterly

3. TO: Donna hutton  
Contracting Officer  
Consumer Product Safety Commission  
10901 Darnestown Road  
Gaithersburg, MD 20878

POC/Phone Number: Diane Porter 301-424-6421P

301-413-7107 F

4A. CONCURRENCE OF PROGRAM OFFICIAL

See Attached concurrence  
Director, Laboratory Services

6. DCN

7. BFY

8. FUND CODE

9. BOC

2005

700R

2500

10. DIR

11. BUD ORG

12. PROJECT

12 A. SYSTEM/TRNG CLASS

OST

301000

C5D

N/A

13. ITEM AMOUNT

Not to Exceed \$55,000

14. DESCRIPTION OF SERVICES OR ACTIVITIES, SPECIAL CONDITIONS, AND REFERENCE TO PERTINENT REGULATIONS AND COMMUNICATIONS.

In this agreement CPSC agrees to reimburse ATF in an amount not to exceed \$55,000 to conduct fire research and phases of work related to CPSC's Mattress Flammability test method development efforts. For additional details, refer to attached narrative.  
Period of Period: July 18, 2005 to July 17, 2006

Budget Office POC: Kandice Tucker 202-927-7827

Program Office POC: Liz Wegnek 240-264-3763

05-700R-2500-OST-301000-C5D

15. APPROVAL OF REIMBURSING AGENCY

15A. SIGNATURE

Donna Hutton

15B. TITLE

Contracting Officer

15C. AGENCY LOCATOR CODE

61-00-0001

15D. AGENCY TREASURY SYMBOL

6150100

16. APPROVAL OF AGENCY TO BE REIMBURSED

16A. SIGNATURE

Marguerite R. Mocella

16B. TITLE

Assistant Director (Management)/Chief Financial Officer

16C. AGENCY LOCATOR CODE

15-07-0000

16D. AGENCY TREASURY SYMBOL

15-5-0700

**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

CPSC-IAG-05-0004; MOD 2

Washington, DC 20226

[www.atf.gov](http://www.atf.gov)

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**Amendment 2  
to the Interagency Agreement  
Between the  
United States Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)  
and the  
U.S. Consumer Product Safety Commission (CPSC)**

## **1. Introduction**

On July 13, 2004, a Memorandum of Understanding (MOU) and Amendment 1 to the MOU were finalized between CPSC and ATF regarding fire research and phases of work related to CPSC's Mattress Flammability test method development efforts. The entire MOU is now identified as Interagency Agreement 05-202-R and this document as modification 0002 to provide \$55,000 in funds from CPSC to ATF for the purposes described herein. This amendment to the ATF-CPSC MOU describes the work for the follow up to Amendment 1 related to Mattress Flammability Testing. This effort will consist of fire testing using open hood calorimetry of full-size mattresses to further confirm the CPSC proposed standard and associated test procedures. The CPSC staff will be leading the testing efforts with support from ATF fire test facility staff to assist in setting up tests, recording and monitoring data, and cleaning up after tests. CPSC also requires sample tracking, storage, conditioning, and control for certain items. The current scope that CPSC envisions for phase 2 is given below. CPSC will transfer \$55,000 to ATF for support.

## **II. Description of Services and Delivery Requirements: Phase 2: Regulatory Development Testing**

Once ATF and CPSC staff have successfully completed Phase 1, qualification testing of the ATF lab area to be used for this effort, CPSC staff plan to conduct additional full-scale mattress testing to support further confirmation of the test method including non-foundation type mattresses. Such testing may be limited or may be extensive depending on the outcome of the following: 1) current industry testing, 2) the qualification testing, and 3) the status of the CPSC regulatory process. While CPSC staff cannot currently predict the exact scope of testing for this phase, the following two part scope of testing should be used to assess resource implications for both agencies:

**Part A. Scaling Effects/Effects of Mattress Size and Type:** TB 603 (or as modified during the ongoing regulatory development process) requires testing of twin size mattress. To assess applicability of twin size prototype testing of industry designs to the larger end product designs, full and king size mattresses will be tested. This will also include testing non-foundation type mattresses such as futons, crib mattresses, flip chairs,

or sleep sofas. CPSC staff envisions potentially conducting up to 52 full scale tests of twin, full and/or king size mattresses (potentially up to 4 MW energy release) and non-foundation types of various sizes.

**Part B. Pre-Regulatory Demonstration/Evaluation Testing:** As part of this phase, it is likely CPSC staff may obtain production samples of mattresses to evaluate products manufactured to meet TB 603 and potential designs prior to the final regulation going into effect. Similar to the size assessment effort, there may be up to 52 additional full scale mattress tests performed.

The testing for Parts A and B would occur after completion of Phase 1 for a period of 8 to 12 months depending on the availability of product to be tested. ATF and CPSC staff will work jointly to conduct these tests using the qualified test method from Phase 1 (TB 603 as modified). Costs to CPSC to use the ATF Lab for this phase of testing will include test space rental, fire test area hood operations for full scale testing, and ATF staff support charges. The area to be used for this phase is estimated at an effective average of 500 square feet per month, which includes varying mattress storage space use (~200 sq ft), test equipment set-up and storage space (150 sq ft), and partial time use of office and conference room space (~150 sq ft). Samples to be tested will be obtained by CPSC staff and delivered by CPSC staff to the ATF Laboratory when needed there. CPSC staff projects that not more than the equivalent of 30 twin size mattresses will need to be stored at the ATF Laboratory at any one time.

For Phase 2, where full scale mattress/non-foundation type mattress testing is anticipated, CPSC staff will require use of one of the small capacity (1 to 4 MW rated) test area hoods capable of handling the expected mattress heat release rates. ATF will provide staff support to the CPSC staff for calorimetry systems setup and calibration, test area setup assistance, facility operation, data recording, fire suppression, and cleanup and disposal support. For efficiency of operating the ATF calorimetry hoods, testing will be conducted in 3 day test blocks which include facility setup and appropriate equipment calibration checks, followed by testing with a goal of completing up to 8 full scale tests per week. CPSC and ATF agree to schedule testing in 3 day test block series with a lead time of three to four weeks before the start of Phase 2 to allow for adequate test planning and preparation by both CPSC and ATF staff, including sample delivery to ATF from CPSC, sample conditioning, test equipment check-out and calibration, and facility scheduling, with the goal to maximize the number of full scale tests conducted in a 3 day test block.

Given there is uncertainty in the exact number of full scale tests to be conducted (up to 104 mattresses) and the total time this phase will take to complete (8-12 months), CPSC and ATF agree that this represents a total cost commitment by CPSC for Phase 2 of \$55,000 to test up to 104 full scale configurations. If additional or less time is needed for space rental and testing, or additional test series are needed, CPSC and ATF staff will meet and address this issue at least 60 days (estimated to fall in October, 2005) before the initial 6 month period of Phase 2 ends.

### III. Modification and Cancellation

This Agreement shall become effective immediately upon signature of both parties and shall remain in effect unless terminated by either party. This agreement may be modified by mutual consent of both parties or cancelled upon 60 days advance written notice by either party.

### IV. Authority

This agreement is entered into under Section 601 of the Economy Act, as amended (31 U.S.C. 1535) and the Consumer Product Safety Act.

### V. Payment

CPSC agrees to provide \$55,000 in funds to ATF for the purposes described above. Payment shall be made through the Government On-Line Payment and Collection (OPAC) System or other methods deemed acceptable to both parties.

### VI. Funding

Accounting Information	<u>From CPSC</u>	<u>To ATF</u>
Agency Location Code:	61000001	15070000
DUNS:	069287522	879293116
Appropriation No.	6150100	1550700
Common Account No.	05 PS EXOB 4200 <del>22326</del> 253A <sup>21326</sup>	05-700R-2500-05T-301000-
Amount:	\$55,000.00	\$55,000.00

### VII. Principal Points of Contact:

#### CPSC:

Patricia Semple, Executive Director, signer of original MOU and amendment  
 Diane Porter, Electrical Engineer, CPSC, 10901 Darnestown Road, Gaithersburg, MD 20878, telephone: 301 424-6421 ext.122


#### ATF:

Marguerite R. Moccia, Assistant Director, (Office of Administration/CFO), U.S. Dept of Justice, signer of original MOU and amendment  
Ken Steckler, Chief, Engineering Section, ATF Fire Research Laboratory, National Laboratory Center, 6000 Ammendale Rd., Beltsville, MD 20705-1250, telephone 240-264-1311

**VIII. Disagreements:** In the event that CPSC and ATF have a disagreement arising under this Interagency Agreement, the parties shall cooperatively seek to resolve the disagreement by themselves. If the disagreement cannot be resolved between them, the parties agree to seek the assistance of a third party in resolving the disagreement.


**IX: Approvals:**

CPSC:

  
Donna Hutton  
Contracting Officer  
U.S. Consumer Product Safety Commission  
4330 East-West Hwy.  
Bethesda, MD 20814

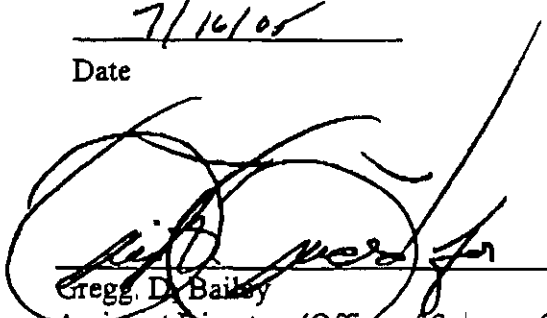
7/27/05  
Date

ATF:

  
Marguerite R. Moccia  
Assistant Director, (Office of  
Management)/Chief Financial Officer

Bureau of Alcohol, Tobacco, Firearms, and  
Explosives  
U.S. Department of Justice

7/16/05  
Date

  
Gregg D. Bailey  
Assistant Director, (Office of Science &  
Technology)/Chief Information Officer

Bureau of Alcohol, Tobacco, Firearms, and  
Explosives  
U.S. Department of Justice

7.6.2005  
Date